

YESTERDAY'S STOCK REPORT.

Morning Board.	
45% Opair, 20 3/4	21 3/4 20 1/4
200 Mexican, 20 3/4	20 3/4 20 3/4
715 G & C, 7 1/4	7 1/4 7 1/4
100 H & B, 15 1/4	15 1/4 15 1/4
270 California, 4 5/8	4 5/8 4 5/8
75 Savage, 2 1/2	2 1/2 2 1/2
465 Con Virginia, 4 5/8	4 5/8 4 5/8
185 Chollar, 4 1/4	4 1/4 4 1/4
480 H & N, 10 1/4	10 1/4 10 1/4
770 Point, 4 5/8	4 5/8 4 5/8
170 Jacket, 1 1/4	1 1/4 1 1/4
400 Imperial, 1 1/4	1 1/4 1 1/4
50 Kentucky, 4 5/8	4 5/8 4 5/8
315 Sierra Nevada, 4 1/4	4 1/4 4 1/4
140 Utah, 1 1/4	1 1/4 1 1/4
130 Bullion, 5 1/4	5 1/4 5 1/4
620 Exchequer, 4 5/8	4 5/8 4 5/8
200 Overman, 9 1/4	9 1/4 9 1/4
130 Justice, 3 40	3 40 3 40
220 Success, 50 40	50 40 50 40
480 Union, 50 54 1/4	54 1/4 54 1/4
20 Alta, 4 1/4	4 1/4 4 1/4
200 L. Bryan, 80 85	80 85 80 85
450 Julia, 3 50	3 50 3 50
200 Aledonia, 2 10 2 15	2 10 2 15 2 10 2 15
75 S. Hill, 1 40	1 40 1 40
400 New York, 60 65	60 65 60 65
200 Belcher, 6 1/4	6 1/4 6 1/4
1625 Sheridan, 15 20	15 20 15 20
720 Dardanelles, 1 30	1 30 1 30
200 Wells Fargo, 15	15 15 15 15
200 Wadsworth, 15	15 15 15 15
200 Scorpion, 1 60 1 55	1 55 1 55 1 55
25 N. Con Va, 8	8 8 8 8
200 Trojan, 15	15 15 15 15
200 Benton, 35	35 35 35 35
400 S. Silver, 35	35 35 35 35
200 N. Romanza, 1 1/4	1 1/4 1 1/4 1 1/4
50 N. View, 2 1/4	2 1/4 2 1/4 2 1/4
50 Mackay, 3	3 3 3 3
200 Leviathan, 30	30 30 30 30
20 Alpha, 17 1/4	17 1/4 17 1/4 17 1/4
Afternoon Board.	
40 R & E, 5	5 5 5 5
120 Eureka Con, 18 1/4	18 1/4 18 1/4 18 1/4
50 Phoenix, 9	9 9 9 9
140 Leopard, 1/2 55	1/2 55 1/2 55
50 Belmont, 40	40 40 40 40
320 Manhattan, 20 1 1/4	20 1 1/4 20 1 1/4 20 1 1/4
200 Hussey, 15 20	15 20 15 20 15 20
25 Belle, 9 1/4	9 1/4 9 1/4 9 1/4
250 Argenta, 1	1 1 1 1
100 Navajo, 25	25 25 25 25
100 Defcon, 5	5 5 5 5
150 Independence, 1 1/4	1 1/4 1 1/4 1 1/4
100 Star, 1/2	1/2 1/2 1/2 1/2
100 Day, 1/4	1/4 1/4 1/4 1/4
200 B. Isle, 35 30	35 30 35 30 35 30
100 Illinois, 1 1/4	1 1/4 1 1/4 1 1/4
200 Tascara, 7 1/2	7 1/2 7 1/2 7 1/2
250 Paradise, 1 50 1 50	1 50 1 50 1 50 1 50
50 Del Monte, 2 1/4	2 1/4 2 1/4 2 1/4
250 Esmeralda, 1 15 1 20	1 15 1 20 1 15 1 20
670 Reichel, 1 1/4 1 60	1 1/4 1 60 1 1/4 1 60
100 Bodie, 1	1 1 1 1
200 McClinton, 1 10	1 10 1 10 1 10
215 Toga, 1 80 1 65 1 1 1/2	1 65 1 1 1/2 1 65 1 1 1/2
50 Summit, 3 1/4	3 1/4 3 1/4 3 1/4
200 Bodshaw, 50	50 50 50 50
200 Oriental, 25	25 25 25 25
200 Belvidere, 1 40 1 1 1/4 1 35 1 30	1 35 1 30 1 35 1 30 1 35 1 30
250 Champion, 35 30	35 30 35 30 35 30
490 Black Hawk, 3 1/4 3 40	3 40 3 40 3 40 3 40
250 Bodie, 35 30	35 30 35 30 35 30
250 Booker, 50	50 50 50 50
150 Con Pacific, 2 15 2 30	2 30 2 30 2 30 2 30
200 University, 45 50	45 50 45 50 45 50
400 Dudley, 60 70	60 70 60 70 60 70
200 S. Standard, 25	25 25 25 25
250 Mono, 2 80 2 35 2 90	2 35 2 90 2 35 2 90 2 35 2 90
250 Jupiter, 50	50 50 50 50
700 S. Bulwer, 90 85	90 85 90 85 90 85
200 Noondav, 1 1/4	1 1/4 1 1/4 1 1/4
200 N. Noondav, 45	45 45 45 45
100 Revenue, 1	1 1 1 1
110 White, 5	5 5 5 5
35 S. Tip Top, 75	75 75 75 75
25 S. King, 7 1/4	7 1/4 7 1/4 7 1/4
200 Caledonia (B. H.), 1 85	1 85 1 85 1 85
100 Old Abe, 5	5 5 5 5
200 Endowment, 30	30 30 30 30
100 Chieftain, 15	15 15 15 15

Grand Jurors.

The following Grand Jurors have been drawn for the April term of Court. They are summoned to appear on Monday, the 7th, at 10 A. M.: Geo. Alt, B. F. Leete, Alvaro Evans, A. H. Barnes, Frank Bell, John Cahlan, John Lee, G. W. Sawyer, A. A. Longley, A. Sauer, F. Lemmon, J. E. Jones, J. P. Foulks, Louis Dean, J. Frey, John Douglas, Geo. W. Cunningham, J. L. McFarlin, C. C. Powning, R. Steele O. C. Ross, W. R. Chamberlain, E. C. McKenney, B. G. Clow.

The Sierra Valley Scourge.

The next issue of the Truckee Republican will contain a very complete and exhaustive report of the Sierra Valley grasshopper scourge. This report has been prepared expressly for the Republican, after careful search and investigation by Prof. J. G. Lemmon, the eminent botanist and scientist.

THERE are four cases to come before the Grand Jury, as follows: Ah Trog, assault with intent to kill; Henry Miller, burglary; George Everleigh, robbery; N. S. Sherman, assault with intent to kill.

H. S. WOODRUFF, agent for a St. Louis house, walked into the Sheriff's office yesterday and took out a drummer's license. This shows this man to be a gentleman.

THE incorporation petition needs 150 more taxpayers' signatures. Let every lover of his country show his patriotism.

BURCHARD & McCLELLAND are going to have a little beauty of a store. They will open on Friday.

A PETITION will soon be circulated asking the Commissioners to open Lake street, from Second to Front.

GEN EVANS is over from Colusa. He says the wheat crop there will be the best ever known in its history.

AS THE V. & T. freight trains run now seems to be very satisfactory to the traveling public.

C. BUCKLEY has leased one of the Lachman stores for his merchandise establishment.

BLOCK has recured the west side of Prescott's store for his cigar store.

CHARLIE RICHARDSON is in from Bodie. Reports that camp all right.

ISAACS, who was hear with Cohn & Tams, will clerk for Nathan.

DISTRICT COURT CALENDAR.

April Term—1879.

LAW.

Kate Bronfield vs. Bryant Swseney—Demurrer argued and submitted.
I. B. Marshall vs. Golden Fleecce M. Co.—Referred to T. E. Haydon.
Eben Twaddle vs. J. H. Harcourt—writ of certiorari.
Gilson & Barber vs. W. E. Price—Demurrer.

United Brooklyn M. Co. vs. L. D. Wickes and John St. J. Fisk—Motion for new trial.
J. E. Jones & Co. vs. P. W. L. & F. Co.

D. Ferriti vs. W. A. Walker—Motion to retax costs.

A. Crete et al. vs. Jas. Mayberry—Motion to retax costs.

Sarah Fields vs. F. H. Fields—Action for divorce.

P. J. Kelly vs. Graham & Trainor and California Fruit and Meat Shipping Co.—Demurrer.

M. B. Dively vs. California Fruit and Meat Shipping Co.—Demurrer.
Mary Wall and James McCrea vs. Louis Traitor and J. M. Graham—Demurrer.

D. & B. Lachman vs. W. A. Walker—Demurrer.

Y. Milatovich vs. M. Ash—Demurrer.

I. J. Armstrong vs. James Mayberry—Demurrer.

California Fruit and Meat Shipping Co. vs. B. B. Norton—Stipulation for settlement.

Norton & Flint vs. California Fruit and Meat Shipping Co.—Stipulation for settlement.

ISSUES OF FACT.

D. W. Campbell vs. H. W. Barlow—Appeal from Justice Court.

Barnett Bros. vs. Geo. B. Hill—Appeal from Justice Court.

A. Charlebois vs. James Mayberry—Appeal from Justice Court.

M. C. Lake vs. Allison Bowers—Answer.

Samuel Brown vs. R. Warren & Co.—Answer.

P. M. Life Insurance Co. vs. S. F. Hoole et al.—Answer.

Shoemaker & Haydon vs. A. J. Hatch—Answer.

Reno Savings Bank vs. S. F. Hoole et al.—Answer.

George H. Frey et al. vs. T. Lagamosino et al.—Answer. Set for April 8th.

A. N. Haggins vs. United Brooklyn M. Co.—Answer.

Wm. Hoffman vs. Antone Rager and Sarah Rager—Answer.

A. H. Manning, Administrator of Woodworth estate, vs. Louis Dean.

Reno Savings Bank vs. Washoe county—Answer.

Isaac Clouette vs. James Mayberry—Answer.

P. M. Life Insurance Co. vs. E. F. Reed—Answer.

Hiram Shulke vs. United Brooklyn M. Co.—Appeal from Justice Court.

Thomas E. Haydon vs. P. M. Life Insurance Co.—Answer.

D. & B. Lachman vs. Isaac and Thos. Barnett—Answer.

More Investigation.

The public, we expect will be treated to something rich, rare and racy, concerning county affairs, in a few days. Some of the old Grand Jurors are not satisfied with the decision of the Courts, in our county cases, and are engaged in overhauling various old bills and books, with a view, no doubt, of instituting civil suit against one or two of the old county officers.

Incorporation Petition.

The petition asking for the incorporation of Reno, under the new code, is at Knust & Jones' store, on Virginia Street. It is very important that every body who has his own and the public welfare at heart should step around and sign it. Don't let the matter go unattended to, but step in and sign it.

Broke Her Arm.

Yesterday Mrs. A. H. Barnes had the misfortune of breaking one of her arms near the wrist. She was standing in a box, which began to topple, and in her efforts to regain her balance the accident occurred.

Scarlet Fever Spreading.

Three new cases of scarlet fever—all in the Western Addition. They are Johnny Bureigame, a baby of Mr. Lachman, and Mrs. Perry.

Work of the Scourge.

The three year and a half old boy of Wm. Van Meter was buried yesterday—the second victim of the scarlet fever in his family. The oldest boy, aged 7, is also certain to die.

Grand Jury.

Judge King came down yesterday afternoon to draw a Grand Jury. As soon as the Sheriff has made the summons the list will be published.

Lake's Case Against the County.

The decision of the Supreme Court in the case of M. C. Lake vs. Washoe county is published elsewhere in this issue. The Enterprise of Tuesday writes it up as follows:

There is some light but fascinating reading on the first page of to-day's Enterprise. There is a story entitled, "The State of Nevada ex rel. M. C. Lake, Petitioner vs. The County Commissioners of Washoe County, Respondents." The plot of this story, as will be seen, is laid in Washoe County, and tells how a cold-blooded set of men, sitting there as a Board of Equalization, and desiring more revenue for the support of the somewhat over-generous officers of Washoe County, raised the assessed value of the property of the above-named petitioner. Not being satisfied with their estimate of his solvency, or the way they went about the business, the petitioner applied to old certiorari to help him lay the matter before the Blue Beards at the Capital. They weigh the whole matter, and in the story published to-day explain to the petitioner wherein he made a fool of himself in applying to them instead of through the local courts established for the amusement of agrieved individuals like himself. The final thrilling climax is an admission that the Court was beguiled into an error by ever listening to the appeal of old certiorari, and the final order is a setting aside of the writ and a dismissal of the whole business. Chief Justice Beatty is the author of the story, and Justice Hawley and Leonard certify that they have read the proof and like it.

Relief Committee.

The Relief Committee expect to close their work on Saturday next. Whatever of provisions and clothing remains will be sent to the Orphan's Home. There will be in the neighborhood of \$2,000 left of the sum appropriated by the State, which will be refunded. Many have been aided by this means when in great need.

Another Brick.

Mr. J. F. Cooke has decided to have a brick erected on the rear 25x40 feet of his lot. This will be a protection to the frame in front. The brick will be divided into two rooms for stores.

Depot Hotel.

Work on the new Depot Hotel will be commenced to-day. It will not take very long to build it, as the entire force of C. P. carpenters will be put on the work, and there will be almost one man to every piece of lumber.

Bar'ing Games.

Reno now has three banking games, owing to the reduction of the license. One faro game, and two fan-tan games. Needless to say the latter are in China-town.

A DAY or two after the fire a wax cross, covered by a glass globe, was taken to the Pavilion. The owner can have it by calling.

GEORGE DAVIS lost a thumb by trying to couple a train of cars in the yard yesterday. He may be a carpenter, but he is not a railroad.

OSBURN & SHOEMAKER's goods have all arrived, and are being placed on the shelves. The firm is now ready to resume.

M. NATHAN will be ready for business in a day or two. His stock is here, and only needs unpacking.

THE C. P. boys are getting fixed in their new wareroom, which same is very handy and neat.

J. E. BAKER is back localizing on the Gazette.

NEWS ITEMS.

Wherever Grant goes there is a sort of general Fourth of July.

In the Oliver Cameron case the jury have rendered a verdict for the defendant.

There are said to be a deficit of \$1,000,000 in the City and County Treasury of San Francisco.

A statue of Prince Bismarck was unveiled at Cologne with great ceremony yesterday, the anniversary of his birthday.

Colonel Burch, the new Secretary of the United States Senate, graduated at Yale in the same class with B. Gratz Brown.

The bullion product of the bonanza mines for March will show an increase over February, but the Ophir mine will not do so well.

It is the intention of the Southern Pacific Railroad company to have their work completed and the road in perfect running order by the latter part of April or the first of May.

The Union Republican Grant Club No. 1 of San Francisco adopted a resolution last Monday evening to work for General Grant's nomination for the Presidency of the United States.

SUPREME COURT DECISION.

The State of Nevada, ex rel M. C. Lake, Petitioner, vs. The County Commissioners of Washoe County, Respondents.

[OPINION BY BRATTY C. J.]

The respondents, sitting as a Board of Equalization, made an order adding to the assessed value of petitioner's property. He seeks by certiorari to have that order set aside and declared void upon the ground that the Board had no jurisdiction to act. It is alleged that the order was made without any complaint of undervaluation, either oral or written, having been laid before the Board. Upon presentation of the petition we ordered the writ to issue, and the respondents have made their return hereto, which shows that no written complaint was filed, and that there is nothing in the minutes of the Board to show that even an oral complaint was made. The return is, however, accompanied by an affidavit of the Chairman of the Board to the effect that such a complaint was made, but that a recital of the fact was inadvertently left out of the minutes of their proceedings.

The petitioner objects to the consideration of this affidavit on the ground that it is not a part of the record. The objection is probably well founded as the case stands; but we think very respectable authority might be found for ordering the Board to amend its record so as to conform to the facts, and to make a return of its record amended. This, however, is a question of some nicety; and, as the case may be disposed of upon other grounds, we abstain from deciding or discussing it. Assuming for the present that we cannot, in this proceeding, look beyond the minutes and files of the Board. We are all the more convinced that we ought not to have issued the writ. It should have been denied upon the ground that the petitioner had another plan, speedy and adequate remedy. If the Board acted without jurisdiction in raising his assessment, this is a good defense pro tanto in any suit for the tax; and since, as we assume, we cannot in this form of action make a full inquiry into the facts upon which their jurisdiction depended, it is all the more necessary that the petitioner should be remitted to that mode of redress in which the facts may be more fully shown. Another weighty consideration impelling us to the same conclusion is the fact that the State, although not a party to this proceeding would be bound by any order we might make annulling the action of the board and would be precluded from proving, in its suit for the tax, that a sufficient complaint was made to authorize the action of the Board. (State vs. C. P. R. R., 10 Nev., 79, 80.)

It was claimed by petitioner, at the time of presenting his petition, that Section 32 of the Revenue law (C. L., 3, 156), which excludes all except certain enumerated defenses in tax suits, would prevent him from relying upon the want of jurisdiction in the Board to raise his assessment. But this is a mistake. The concluding sentences on that action: "and no other answer shall be permitted," must be understood with this qualification and it does not exclude the direct denial of any allegation of the complaint necessary to be proved in order to entitle the State to recover. The assessment is one of the facts which the State is bound to prove, and if the Commissioners had no jurisdiction to raise petitioner's assessment, their act was void and can be collaterally attacked. (People vs. Reynolds, 28 Cal., 108; People vs. Flint, 39 Cal., 670; People vs. Goldfree, 44 Id., 323; Beck vs. Comrs of Washoe, recently decided in this Court.)

We intimated in the case of the State vs. Northern Bell Company (12 Nev., 92, 93), that an oral complaint was sufficient to authorize action by the Board of Equalization. We know of no decision to the contrary, unless it can be said that it was so held in People vs. Goldfree, supra. But the point was not really involved in that case, as it was decided upon the ground that there was no complaint of any sort made to the Board. All that was said moreover, was that it had been held in People vs. Reynolds, and affirmed in People vs. Flint, "that the filing of a complaint was necessary." By reference to those cases, however, it will be seen that the point was not desired in either of them. In the first there was no sort of complaint necessary. In the second case a written complaint had been filed, but it was held to be defective in substance. The truth is, the point has never been directly passed upon in California, and we find nothing in either the letter or spirit of the statute requiring a written complaint.

We have not noticed the other point relied upon by the petitioner, i. e., that the Clerk failed to publish a list of the persons, the valuation of whose property had been raised by the Board, for the reason that in our opinion it does not affect the question of jurisdiction. The publication of such notice is one of those acts "between the assessment and commencement of suit" which are expressly declared to be "directory merely," and a non-performance of which is not ground of defense in a tax suit unless it has actually injured the defendant. (C. L. 3, 156; State vs. C. P. R. R., 10 Nev., 61.)

The writ having been improvidently issued, is hereby set aside and the proceeding dismissed.

We concur: BRATTY, C. J.
HAWLEY, J.
LEONARD, J.

Senator Logan is represented as having once been a Catholic, and as now being a Methodist.

A Disease that Wrecks the System.

Every function is deranged, every nerve strained, every muscle and fiber weakened by fever and ague. It is, in fact, a disease which it unobscured, eventually wrecks the system. In all its types, in every phase, it is dangerous, destructive. Stomach, derangement, constipation, often attend it, and cause puffiness of the face. But when combined with Hysteria's Stomach Bitter its foothold in the system is dislodged, and every vestige of it eradicated. That benign anti-febrile specific and preventive of the dreaded scourge is recognized not only within our own boundaries, but in tropic lands far beyond them, where intermittents are fearfully prevalent, to be a sure antidote for the malarial poison and a reliable means of overcoming disorders of the stomach, liver and bowels, of which a vitiated torrid atmosphere and brackish unwholesome water are extremely provocative. All contagions and fevers should be supplied with it.

FACTS FOR THE PEOPLE.—The following facts are of great importance to the community, and they should be carefully read and acted upon by everybody in the county:

Fact 1. That L. Abrams, to accommodate the public, has "resumed" in the building opposite the Granger store.

Fact 2. That he sells better clothing for less money than anybody.

Fact 3. That he gives satisfaction in quality and fit.

For confirmation of the above facts ask any well-dressed man in Reno.

YANKEE DODGE's notion store Virginia street, next door to Cunningham & Gibson, where can be found all those little articles so indispensable to every well regulated household. It would be useless to try to enumerate for there is no limit to the assortment. We intend to keep everything that there is a demand for. Trusting our old customers will call again, bring their friends, and for our part we promise to supply their wants at the lowest possible rates. YANKEE DODGE & Co.

HORSES FOR SALE CHEAP FOR CASH.—I have sixteen head of good horses comprising draft horses, buggy horses, and saddle horses; also two fine Norman colts, sired by my Norman horse Barnum; would make good stallions; they are from good blooded mares and are both dark grays. For particulars apply to the undersigned at his farm, or by letter, Reno, Nevada. A. A. LONGLEY.

FOR THE SUFFERERS.—S. Jacob has a large and varied assortment of piece goods and tailors' trimmings, which he will make up at his usual low rates. Now is the chance for the sufferers to get good clothes at a bargain. He has put up a small building opposite Sunderland's boot and shoe store, on Virginia street, where he can be found.

VERDI PLANING MILL COMPANY.—Are prepared to supply all patrons with everything in the lumber line required in the construction of a building, rough and finished lumber, doors, mouldings, cornice, windows, etc. etc., at the old prices. Any one wishing anything in our line will be promptly supplied by addressing the Verdi Planing Mill Company, Verdi Nevada.

MILLINERY AND DRESS MAKING.—Mrs. M. A. Harnay has opened a Millinery and dress making shop in Dr. Bergman's office, on Second St., near Sierra. I am prepared to furnish everything in my line as before the fire. M. A. HARNAY.

GRAND OPENING.—Coleman & Pechner are again in the field, opposite Jim Chambers', east side of Virginia street, where they will accommodate customers, as before the fire, with the best work in the tinsorial line. Satisfaction guaranteed. COLEMAN & PECHNER.

FOR SALE.—At the Reno Nurseries, Reno, Nevada, 100,000 fruit and shade trees, I will sell hereafter by the hundred for cash, at the Nurseries, for one half the usual price. STEPHEN CONNER.

A. H

